

MINUTES

COUNCIL ON RECYCLING
JANUARY 16, 2003
CROWN PALM ROOM
KALAHARI RESORT
INTERSTATE 90/94 AND HIGHWAY 12
WISCONSIN DELLS, WISCONSIN

Council Members Present: William Casey; Daniel Meyer; John Reindl; Tracy Toltzman.

Council Members Absent: Jacqueline Moore Bowles; Carol Kubly; Catherine Onsager.

Also attending: Bangert, Suzanne, DNR; Brachman, Steve, UW-Ext.; Diggelman, Carol, UW-Ext; Fiedler, Karen, Waukesha County; Martens, David, Commerce; Moore, Cynthia, DNR; Pellicori, Peter, Goodwill Industries; Reichelt, Robert, Lincoln County; Sunstrom, Jennifer, Wisconsin Counties Association; Swensen, Dean, Midwest Recycling Association; Tarman-Ramcheck, Bill, City of Wauwatosa.

Call To Order: The meeting was called to order by Chair Dan Meyer at 4:35 PM.

Introduction and Announcements:

Minutes of Meetings of September 11, November 13 and December 18, 2002. The following corrections were made to the December 18 Minutes:

Page 1 Computer Task Force; line 8, after 'largest items' add 'with toxic materials.' Page 4 4th paragraph, line 11 change 'should' to 'would'. Page 5, 2nd paragraph, line 6 the paragraph should read 'Reindl said that any material that fails the TCLP test is banned from disposal from commercial sources should be banned from household disposal.' The Minutes were accepted with the corrections. Meyer thanked Dan Fields, DNR, for putting this document together as well as his work as Chair of the Task Force.

Election of Officers: Tracy Toltzman moved to defer elections until next meeting. Bill Casey seconded. Motion carried.

Computer Task Force: Reindl noted three corrections on the 'Recommendations' document. Second sentence 'at least' should follow 'answers'. C. Service, the fourth line should be 'd' not 'e'. 3) Divert computers ... in Wisconsin. Delete 'DNR' from the sentence.

Members began discussing the 'Recommendations' document (attached).

In section 3), Toltzman asked whom we were asking to report to whom. John Reindl replied that we are asking the Chair to send a letter to the Governor, the secretaries of DNR and Commerce and selected legislators. Toltzman asked if we were recommending a back-end fee for the first few years to catch up. Reindl said that could be a temporary measure. Over the long term, the cost of recycling needed to be incorporated into the price of the product. The system would still allow locals to charge if necessary. Meyer said that once this goes through the legislative process we may not recognize anything we have here.

In section 4, Reindl said the ban would be phased in to allow education and infrastructure development. Meyer suggested that the phase in begin 2 years after the enactment of legislation. Reindl asked that the word 'electronic' in the first line be changed to 'computers and televisions'. Members agreed Toltzman moved and Casey seconded to accept #4 as modified. Motion carried.

In section 5, Toltzman suggested that 'another qualified organization' be added so there would be options for certification. Toltzman moved and Reindl seconded #5 as modified. Motion carried. Karen Fiedler said that 'small quantity generators' may not be appropriate language. Meyer asked Fields to talk to Cynthia Moore and come back with language to cover processors and recyclers. Toltzman said it is obvious what we want and that Fields can come back with appropriate language. We can revote at that time.

Public Comment: Carol Diggelman, UW-Ext., asked about an export program. Toltzman said that the certification program would cover that area.

Jennifer Sunstrom, Wisconsin Counties Association, asked if merchants would have the liability for the products or does the RU still retain responsibility. Reindl said that if the municipality physically handles the material then they probably would have some liability. Nothing that the Council has done requires RU involvement. Sunstrom asked if we could do something to ensure that RU's are not liable. She believes some RU's will drop p the program because of liability issues. Bangert said that businesses may want to the RU to keep the liability. Sunstrom asked why a municipality would do the collection if they were going to incur the liability.

Reindl said that this was one the more complex issues that the council has handled. This is a good compromise and hopefully NEPSI will move forward as well. Meyer said that the Council will try to move this forward but the Council will need help from other organizations. This is a major effort and will need a lot of support from many groups to keep this going forward.

Other Business:

The next regular Council meeting is Wednesday, March 19, 2003.

Potential agenda items: mercury products, tour of ReStore in Madison.

Adjournment: Casey moved, Toltzman seconded. The Council adjourned at 5:10 PM

Respectfully submitted by Daniel B. Fields, Department of Natural Resources.

**COUNCIL ON RECYCLING
RECOMMENDATIONS
AGREED UPON AT THE
SEPTEMBER 11, 2002 AND
DECEMBER 18, 2002
MEETINGS**

Investigate the nature and scope of electronic waste in Wisconsin

The Council recommends that a study be done by the DNR and SHWEC that answers the following questions:

- A. Volume
 - a. How much is in storage?
 - b. How much is disposed of annually?
 - c. How much is purchased annually through large and small retailers and through internet sales?
 - d. Trends in purchasing practices.
- B. Infrastructure capacity
 - a. What is the capacity of the infrastructure now?
 - b. What is the capacity of the private sector to grow?
 - c. How much is handled through communities/municipal programs, BSI, and what are the costs associated with this program?
- C. Service
 - a. Who is being serviced now?
 - b. How convenient is service?
 - c. How costly is service?
 - e. Would a State Term Recycling Contract be feasible?
- D. Current practices

E. Awareness of current law

If the study cannot be done using existing funds, or if a broader study is warranted, then the Council suggests that an application for a grant from the U.S. EPA in FY 2003

This study should be done regardless of whether or not the rest of the recommendations are followed. (Passed at September 11 meeting.)

1) Support for the National Electronic Product Stewardship initiative (NEPSI)

The Council on Recycling goes on record to support the National Electronics Product Stewardship Initiative and urges all members of that process to continue to work towards a comprehensive solution for the minimization of the environmental impact of computers, TVs and other electronic equipment, including the extraction of resources and the manufacture, use and disposition of these products. (Passed at December 18 meeting.)

2) Develop State Procurement Guidelines

Work with the Department of Administration to develop guidelines for the procurement or leasing of environmentally preferable electronic equipment.

Require recycled plastic/glass/other content

Require "design for environment"

(Passed at September 11 meeting.)

3) Divert computers and televisions from landfills in Wisconsin DNR

The Council on Recycling recommends that the State of Wisconsin direct the DNR and Commerce, with oversight from the Council on Recycling, and working in cooperation with other states, to develop a system to divert computers and televisions from landfills. The financing of the system should be incorporated into the price of the product, and not incurred by local units of government or taxpayers. Reports should be directed to the appropriate legislative committees. (Passed at December 18 meeting.)

4) A ban on landfilling computers and televisions in Wisconsin

Enact a landfill and incineration ban on electronics. There would be no exceptions to this ban. The ban would be phased in to allow for an educational process and infrastructure development. (Note: this language was agreed to at the September 11 meeting but was not voted on at that time.)

5) Promulgate rules to set standards

A voluntary certification program be established. The program would seek to have large quantity generators certified by the Independent Association of Electronic. Small quantity generators would be asked to follow a checklist developed by the DNR. After three years the program would be reviewed. If there were a high degree of compliance, then no rules would be necessary. If compliance were low, then the DNR would seek administrative rules. (At the September 11 meeting Cynthia Moore, DNR, was asked to bring a proposal to the next Council meeting. She presented her proposal at the November 13 meeting. The Council accepted the above proposal at the December 18 meeting but there was no actual vote on the language).

**COUNCIL ON RECYCLING
RECOMMENDATIONS
REVISED
JANUARY 16, 2003**

Investigate the nature and scope of electronic waste in Wisconsin

The Council recommends that a study be done by the DNR and SHWEC to answer at least the following questions:

- A. Volume
 - f. How much is in storage?
 - g. How much is disposed of annually?
 - h. How much is purchased annually through large and small retailers and through internet sales?
 - i. Trends in purchasing practices.
- B. Infrastructure capacity
 - a. What is the capacity of the infrastructure now?
 - b. What is the capacity of the private sector to grow?
 - c. How much is handled through communities/municipal programs, BSI, and what are the costs associated with this program?
- C. Service
 - a. Who is being serviced now?
 - b. How convenient is service?
 - c. How costly is service?
 - d. Would a State Term Recycling Contract be feasible?
- D. Current practices
- E. Awareness of current law

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1) Support for the National Electronic Product Stewardship initiative (NEPSI)

The Council on Recycling goes on record to support the National Electronics Product Stewardship Initiative and urges all members of that process to continue to work towards a comprehensive solution for the minimization of the environmental impact of computers, TVs and other electronic equipment, including the extraction of resources and the manufacture, use and disposition of these products.

2) Develop State Procurement Guidelines

Work with the Department of Administration to develop guidelines for the procurement or leasing of environmentally preferable electronic equipment.
Require recycled plastic/glass/other material content
Require "design for environment"

6) Divert computers and televisions from landfills in Wisconsin

The Council on Recycling recommends that the State of Wisconsin direct the DNR and Commerce, with oversight from the Council on Recycling, and working in cooperation with other states, to develop a system to divert computers, computer peripherals and televisions from

landfills. The financing of the system should be incorporated into the price of the product, and not incurred by local units of government or taxpayers. Reports should be directed to the appropriate legislative committees.

7) A ban on landfilling computers and televisions in Wisconsin

Enact a landfill and incineration ban on computers, computer peripherals and televisions. There would be no exceptions to this ban. The ban would be phased in to allow for an educational process and infrastructure development. The phase in period would begin two years after the effective date of the legislation.

8) Promulgate rules to set standards

A voluntary certification program be established for electronics processors and handlers. The program would seek to have destination facilities certified by a program approved by the DNR (such as the Independent Association of Electronic or ISO 14001). Handlers would be asked to voluntarily follow a checklist developed by the DNR. After three years the program would be reviewed. The objective is to have all of the destination facilities and 50% of the handlers certified by that time. The DNR would only seek administrative rule to require certification if the objectives were not met.